

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

018842.1319

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

101510342

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

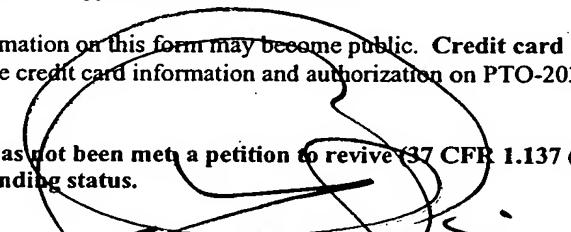
INTERNATIONAL APPLICATION NO.  
PCT/JP03/04441INTERNATIONAL FILING DATE  
April 8, 2003PRIORITY DATE CLAIMED  
April 9, 2002TITLE OF INVENTION  
Variable Displacement CompressorAPPLICANT(S) FOR DO/EO/US  
Yukihiko Taguchi

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information:

U.S. APPLICATION NO. (known as) 104510342 INTERNATIONAL APPLICATION NO. PCT/JP03/04441		ATTORNEY'S DOCKET NUMBER 018842-1319
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....		\$1080.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....		\$920.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....		\$770.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....		\$730.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....		\$100.00
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$ 1080.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	5 - 20 =	0
Independent claims	1 - 3 =	0
<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>		+ \$290.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$ 1080.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$
<b>SUBTOTAL =</b>		\$ 1080.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$
<b>TOTAL NATIONAL FEE =</b>		\$ 1080.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$
<b>TOTAL FEES ENCLOSED =</b>		\$ 1080.00
		Amount to be refunded:
		charged:
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1080.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-0375</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>		
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO: 24735</p>  <p>SIGNATURE James B. Alpin</p> <p>NAME 33,470</p> <p>REGISTRATION NUMBER</p>		

<b>FEE TRANSMITTAL</b> <b>[MAIL STOP]</b>		<i>Complete If Known</i>																																																																		
		Application No.	New 10/510342																																																																	
		Filing Date	October 5, 2004																																																																	
		First Named Inventor	Yukihiko Taguchi																																																																	
		Examiner Name	To be assigned																																																																	
		Group Art Unit	To be assigned																																																																	
Total Amount Of Payment (\$)	1080.00	Attorney Docket No.	018842.1319																																																																	
<b>METHOD OF PAYMENT (check one)</b>		<b>FEES CALCULATION (continued)</b>																																																																		
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to <b>Deposit Account No. 02-0375</b> in the name of Baker Botts L.L.P.  <input type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 to <b>Deposit Account No. 02-0375</b> .		3. <b>ADDITIONAL FEES</b> <table> <thead> <tr> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Surcharge - late filing fee or oath</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Extension for reply with 1 month</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Notice of Appeal</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Filing Brief in Support of Appeal</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Request for Oral Hearing</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Utility Issue Fee (or reissue)</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Design Issue Fee</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Plant Issue Fee</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petitions to Commissioner</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petition to Revive (unavoidable)</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petition to Revive (unintentional)</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petitions Related to Provisional Applications</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Submission of Information Disclosure Statement</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Filing Submission After Final Rejection</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Recording Each Patent Assignment Per Property</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Filing Request for Reexamination</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Other (specify) National Phase Filing</td> <td>\$ 1080.00</td> </tr> </tbody> </table>		Fee Description	Fee Paid	<input type="checkbox"/> Surcharge - late filing fee or oath	\$	<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$	<input type="checkbox"/> Extension for reply with 1 month	\$	<input type="checkbox"/> Notice of Appeal	\$	<input type="checkbox"/> Filing Brief in Support of Appeal	\$	<input type="checkbox"/> Request for Oral Hearing	\$	<input type="checkbox"/> Utility Issue Fee (or reissue)	\$	<input type="checkbox"/> Design Issue Fee	\$	<input type="checkbox"/> Plant Issue Fee	\$	<input type="checkbox"/> Petitions to Commissioner	\$	<input type="checkbox"/> Petition to Revive (unavoidable)	\$	<input type="checkbox"/> Petition to Revive (unintentional)	\$	<input type="checkbox"/> Petitions Related to Provisional Applications	\$	<input type="checkbox"/> Submission of Information Disclosure Statement	\$	<input type="checkbox"/> Filing Submission After Final Rejection	\$	<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$	<input type="checkbox"/> Filing Request for Reexamination	\$	<input type="checkbox"/> Other (specify) National Phase Filing	\$ 1080.00																											
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